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October 18, 2021

VIA ECF

Honorable Edward S. Kiel, U.S.M.J.
United States District Court, District of New Jersey
Martin Luther King, Jr. Federal Building and Courthouse
50 Walnut Street
Newark, New Jersey 07102

Re: GEA Mechanical Equipment US, Inc. v. Federal Insurance Company et al.
Case No.: 2:20-cv-9741 (BRM) (ESK)

Dear Judge Kiel:

This firm represents defendants Hartford Accident and Indemnity Company, Hartford Fire Insurance Company and First State Insurance Company (collectively, "Hartford") in the above-referenced matter. On behalf of Hartford, defendants The Continental Insurance Company ("Continental") and Wellfleet New York Insurance Company as successor to Atlanta International Insurance Company ("AIIC" and, together with Hartford and Continental, the "Defendants"), and plaintiff GEA Mechanical Equipment US, Inc. ("Plaintiff"), we submit this joint letter in advance of the telephonic status conference in this matter scheduled for Tuesday, October 19, 2021.

This is an asbestos insurance coverage action. Plaintiff's complaint seeks a declaration regarding the parties' rights and duties with respect to a single underlying asbestos claim (Thornton) and future underlying asbestos claims under insurance policies issued by Defendants.

On September 29, 2021, Your Honor entered a Text Order [ECF 42] that addressed the parties' dispute concerning the completion of fact discovery and resolved certain scheduling issues. Since the issuance of the Text Order [ECF 42], one of the two subpoenaed parties (Akerman) has produced documents and an affidavit. Defendants have advised Akerman that they will forego a deposition and that no further response to the subpoena is required. Defendants expect a resolution with second outstanding subpoenaed party (Ferraro) in advance of the October 31 deadline. Plaintiff has concerns regarding the manner in which discovery is being conducted by Defendants near the deadline and reserves the right to raise those issues during the conference and/or at the appropriate time.

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The Defendants believe that the existing schedule for expert discovery and summary judgment motion practice, as set forth in Your Honor's September 14, 2021 Order [ECF 38], need not be amended at this time. Plaintiff agrees that ECF 38 need not be amended at this time. To the extent Defendants are implying that an amendment may be warranted in the future, Plaintiff reserves the right to oppose any such effort.

We thank Your Honor for the time and courtesies extended in this matter. We look forward to speaking with Your Honor on Tuesday.

Respectfully,

A handwritten signature in black ink, appearing to read "John Maloney", is written over the typed name. The signature is stylized with loops and flourishes.

JOHN MALONEY

cc: All counsel of record (via ECF)